

REMARKS

Claims 16-25 and 45-55 remain in this application. No claims have been amended. Claims 26-40 are canceled.

Claims 41, 43, 45-46 and 53-55 stand rejected under 35 USC 103(a) as being unpatentable over the combination of Putzolu, in view of Handley; and Claims 16-25 stand rejected under 35 USC 103(a) as being unpatentable over the combination of Putzolu in view of Handley and Gonzalez, and Zigmond. Applicant respectfully traverses.

Previously presented independent Claim 16 includes the limitation of *the centralized control apparatus communicates the service control **information over a single unidirectional communication path** and the group of end user download devices and the multi-cast distribution network cooperable for using information learned from the service control information for connecting the group of end user download devices to the offered content without the group of end user download devices communicating to the centralized control apparatus.* Independent Claim 41 includes similar limitations.

The Final Office Action gives reasoning for the rejection of system Claim 26 and further states the same arguments are made to reject independent Claims 16 and 41. However, Applicant notes that the above-mentioned limitation was not present in Claim 26, and thus the arguments thereof cannot be used to reject every element of independent Claims 16 and 41. Further, Applicant believes none of the cited art teaches, discloses, or otherwise renders unpatentable the combination of limitations in the previously presented independent Claims 16 and 41 as it appears to Applicant that the cited art uses or must use a bi-directional control path.

In network applications which need to be scaled to support hundreds of thousands or even millions of end user devices, a bi-directional control path is problematic because of the correlated nature of the bi-directional control traffic leading to network and centralized control processor overloads. If the centralized control server were, for example, to multicast a command indicating that all devices should preferably receive and download a particular programme, a bi-directional control link between the server and the end users would have the entire end user base, potentially millions of devices, simultaneously contacting the centralized control server in a short space in time. The increased difficulty of handling traffic correlation situations is well known.

Reply Under 37 C.F.R. § 1.116 – Expedited Procedure

Serial No.: 10/051,475

Examiner: Hieu C. Le

There are a few known ways of dealing with such scalability problems. Typically, techniques such as replicating the number of servers and/or reducing the number of end user devices able to receive any one download are deployed. Both these solutions increase networks transmission requirement (ultimately, cost) and/or increase access latency.

For at least the above-mentioned reason, Applicant believes independent Claims 16 and 41 are patentable over the cited art. All other claims depend from and further limits, in a patentable sense, either independent Claims 16 and 41 and, hence, are also submitted to be in condition for allowance.

CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Bobby Slaton at (972) 477-1497.

Respectfully submitted,

ALCATEL LUCENT

Dated: February 1, 2007

/Bobby D. Slaton/

Bobby D. Slaton

Reg. No. 43,130

Alcatel Lucent
Intellectual Property Department
3400 W. Plano Parkway, M/S LEGL2
Plano, TX 75075
Phone: (972) 477-1497
Fax: (972) 477-9328